

S/N 10/566460

Responsive to the Office Action dated September 29, 2009

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and following remarks.

Claim 1 has been amended and is supported by the specification, for example, at FIG. 1 and paragraphs [0033], [0045], [0048-0049] and [0066-0067]. Claim 4 has been amended editorially.

35 USC § 112 Rejection

Claims 1, 2, 4 and 6-23 are rejected under 35 USC § 112, second paragraph as being indefinite.

Claim 1 has been editorially amended to clarify the antecedent basis issue and to clarify that one or more recording layers may be present. Applicants respectfully request that the rejection be withdrawn.

35 USC § 102 Rejections

Claims 1, 2, 12, and 15 are rejected under 35 USC 102(b) as being anticipated by Hiroki (US 5,703,841). Applicants respectfully traverse the rejection.

Claim 1 is directed to an information recording medium where an outer power calibration area is provided in the data recordable area, with an outermost point of recorded user information on the recording layer being on the inner periphery side relative to the outer power calibration area. The address information of a point defining an outer boundary for recording additional user information in the data recordable area is in the record management area and defines an outer boundary that is inward of the outer power calibration area.

Hiroki fails to disclose an outer power calibration area that is within the data recordable area. Therefore, Hiroki does not teach or suggest the features of claim 1 and the rejection should be withdrawn.

Claims 2, 12, and 15 are allowable at least by virtue of their dependence on independent claim 1. The rejection of these dependent claims should be withdrawn. Applicants do not concede the correctness of the rejection.

S/N 10/566460

Responsive to the Office Action dated September 29, 2009

35 USC § 103 Rejections

Claims 4, 8, 9, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Ito et al. (US 7,184,377). Applicants respectfully traverse this rejection.

Claims 4, 8, 9 and 23 are allowable at least by virtue of their dependence on independent claim 1 or intervening dependent claims. The rejection of these dependent claims should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Ito et al. (US 7,184,377), as applied to claim 4 above, and further in view of Lee et al. (US 2008/0013425). Applicants respectfully traverse this rejection.

Claim 6 is allowable at least by virtue of its dependence on independent claim 1 or intervening dependent claims. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 7 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Ito et al. (US 7,184,377), as applied to claim 4 above, and further in view of *DVD+R 4.7 Gbytes Basic Format...* (non-Patent Document 1). Applicants respectfully traverse this rejection.

Claim 7 is allowable at least by virtue of its dependence on independent claim 1 or intervening dependent claims. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claims 10 and 11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of *DVD+R 4.7 Gbytes Basic Format...* (non-Patent Document 1). Applicants respectfully traverse this rejection.

Claims 10 and 11 are allowable at least by virtue of their dependence on independent claim 1. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

S/N 10/566460

Responsive to the Office Action dated September 29, 2009

Claims 13, 14, 16, and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Morozumi et al. (US 2003/0185120). Applicants respectfully traverse this rejection.

Claims 13, 14, 16, and 17 are allowable at least by virtue of their dependence on independent claim 1 or intervening dependent claims. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.



Dated: December 10, 2009

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By: 

Douglas P. Mueller
Reg. No. 30,300
DPM/lf